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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,449	08/15/2002	Alexander James Brown	010100-109	3885

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EXAMINER
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GILES, NICHOLAS G

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/049,449	Applicant(s) BROWN ET AL.	
	Examiner Nicholas G. Giles	Art Unit 2622	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 111-114, 116-127, 129 and 131-138 is/are pending in the application.
- 4a) Of the above claim(s) 121-126 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 111-114, 116-120, 127, 129 and 131-138 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/08/2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims **111-114, 116-120, 127, 129, and 131-138** have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

3. Claims **135 and 138** are objected to because of the following informalities: In line 10 of the claim "the web server" is reference before a web server is disclosed. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims **111, 135, and 138** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. The term "low-latency" in claims **111, 135, and 138** is a relative term which renders the claim indefinite. The term "low-latency" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims **111-114, 116-120, 127, 129, 131, 133, and 135-138** are rejected under 35 U.S.C. 102(e) as being anticipated by Enright et al. (U.S. Patent No. 6,583,813).

Regarding claim **111**, Enright et al. discloses:

A digital video management system for low-latency remove live video monitoring of one or more areas or processes of interest, the system including: a plurality of cameras (cameras 186, 188, 190 Fig. 11), each

camera having a respective camera streamer (hardware interface 170 Fig 10) configured to packetize the camera output and to provide low-latency live first video signals to a computer communications network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); a video server (mini server 192, 194, 196) configured for linking to the network, configured to receive the first video signals and configured to be responsive to a predetermined schedule for storing on a storage media associated with the server at least some of the first video signals wherein the serve is configured to access the stored signal and to access the low-latency live first video signal to selectively provide packetized playback second video signals and packetized low-latency live second video signal respectively (28:51-67, 29:20-44, 48:54-49:8); at least one client computer terminal configured for linking to the network for providing the predetermined schedule and for receiving either of the second signals (28:51-67 and 48:54-49:8).

Regarding claim **112**, see the rejection of claim 111 and note that Enright et al. further discloses:

The predetermined schedule includes a plurality of time based trigger points and the server stores the first video signals starting at a first predetermined period prior to each point and a second predetermined period after each point (18:30-46 and 21:20-41).

Regarding claim **113**, see the rejection of claim 111 and note that Enright et al. further discloses:

The predetermined schedule includes a plurality of event based trigger points and the server stores the first video signals starting at a first predetermined period prior to each point and a second predetermined period after each point (18:30-46 and 21:20-41).

Regarding claim **114**, see the rejection of claim 113 and note that Enright et al. further discloses:

A sensor for providing a third signal to the network, wherein one of the event based trigger points comprises the third signal falling within a predetermined range (Motion detection 18:30-46).

Regarding claim **116**, see the rejection of claim 112 and note that Enright et al. further discloses:

The first and second predetermined periods are configurable based upon one or more of: on a per camera basis, on a per area basis, on an event type basis (21:20-41 and 35:56-36:16).

Regarding claim **117**, see the rejection of claim 112 and note that Enright et al. further discloses:

The duration of the first and second predetermined periods are configurable (18:30-46).

Regarding claim **118**, see the rejection of claim 111 and note that Enright et al. further discloses:

A plurality of client terminals and a controller for controlling the second signals that are provided to respective terminals (37:28-47, 28:51-67, 29:11-30, and 37:13-27).

Regarding claim **119**, see the rejection of claim 118 and note that Enright et al. further discloses:

The terminals provide over the network respective camera control commands to the video server and the video server processes those commands and generates control signals that are sent to the relevant camera via the network (35:15-23).

Regarding claim **120**, see the rejection of claim 118 and note that Enright et al. further discloses:

The processing of the commands by the video server includes a determination of whether or not the terminal sending the respective command has access rights to the relevant camera (37:13-27).

Regarding claim **127**, see the rejection of claim 111 and note that Enright et al. further discloses:

The first video signals are compressed by the cameras (13:62-14:22 and 14:49-15:20 and Fig. 3).

Regarding claim **129**, see the rejection of claim 111 and note that Enright et al. further discloses:

The camera streams compress the respective first video signals (13:62-14:22 and 14:49-15:20 and Fig. 3).

Regarding claim **131**, see the rejection of claim 120 and note that Enright et al. further discloses:

The controller is adapted to receive camera control functionality requests from the terminal and to forward camera control commands to the cameras (28:51-67, 29:11-44, and 35:15-23).

Regarding claim **133**, see the rejection of claim 131 and note that Enright et al. further discloses:

The controller is adapted to grant or deny a control request in dependence upon security level information relating to a user making the request (37:13-27).

Regarding claim **135**, Enright et al. discloses:

A digital video management system for low-latency remote live video monitoring of one or more areas or processes of interest, the system including: a plurality of cameras (cameras 186, 188, 190 Fig. 11) each having a respective camera streamer (hardware interface 170 Fig 10) configured to packetize the camera output to provide respect low-latency live video signals to a computer communications network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); a plurality of video servers (mini server 192, 194, 196) configured to be in communication with the network, each video server having a respective camera manager configured to manage a respective subset of said



plurality of cameras, wherein each video server is configured to receive the video signals from said subset of the cameras and, in response to receiving a command from the web server (image server 182), to provide access to one of said received video signals to a client computer (28:51-67 and 29:7-44, see also 48:54-49:8); a web server (image server 182) configured to be in communication with the network, the web server having a primary camera manager configured for receiving a command from a client computer terminal, for processing the command to determine a camera to which the command relates and for forwarding the command to the corresponding video server (29:7-44); and a client computer terminal configured to be in communication with the network and for generating a command to the web server and for receiving from the video server the video signal (29:7-44).

Regarding claim **136**, see the rejection of claim 135 and note that Enright et al. further discloses:

A data server, and wherein at least one of said video servers is configured to be in communication with the data server to effect storage of at least some of the video signals (27:31-40).

Regarding claim **137**, see the rejection of claim 136 and note that Enright et al. further discloses:

The web server is configured, in response to a command from the client terminal, to provide access to the stored video signals (29:7-44).

Regarding claim **138**, Enright et al. discloses:

A method of managing a digital video system for low-latency remote live video monitoring of one or more areas or processes of interest, the method including the steps of: at each of a plurality of camera streamers (hardware interface 170 for each camera when connected to a corresponding mini server, Fig 10), receiving output from an associated camera (cameras 186, 188, 190 Fig. 11), and packetizing said output to provide respective low-latency live video signals to a computer network (13:62-14:22 and 14:49-15:20, Fig. 3, 28:8-21, 28:51-67, and 29:11-18, note the images can be provides virtually simultaneously to the remote user); at a plurality of video servers (mini server 192, 194, 196) in communication with the network, receiving the video signals from a subset of said plurality of streamers and in response to receiving a command from the web server (image server 182), providing access to one of said received video signals (28:51-67 and 29:7-44, see also 48:54-49:8); at a web server (image server 182), in communication with the network, receiving a command from a client computer terminal, processing the command to determine a camera to which the command relates and forwarding the command to the corresponding video server (29:7-44); and at a client computer terminal in communication with the network generating a command to the web server and receiving the video signal from a video server (29:7-44).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim **132** is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Kuno (U.S. Patent No. 6,567,121).

Regarding claim **132**, see the rejection of claim 131 and note that Enright et al. is silent with regards to denying a control request when a camera is being controlled by another terminal. Kuno et al. discloses this in 5:6-11, 5:36-42, 5:48-51, and 6:61-67 and Fig. 9. An advantage to doing this allows clients to be queued for gaining the right of camera access as Kuno shows in 6:61-67. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Enright's system include denying a control request when a camera is being controlled by another terminal.

11. Claim **134** is rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Dangi et al. (U.S. Patent No. 5,231,492).

Regarding claim **134**, see the rejection of claim 111 and note that Enright et al. is silent with regards to priority of the video stream over the audio stream. Dangi et al.

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discloses this in 11:36-12:2 and Fig. 30. Dangi et al. discloses that this is advantageous when for example a person stands up (eg movement) and the video data changes tremendously. For this reason it would have been obvious to one of ordinary skill in the art at the time the invention was made to have Enright's system include priority of the video stream over the audio stream.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas G. Giles whose telephone number is (571) 272-2824. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc - Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
NGOC-YEN VU  
SUPERVISORY PATENT EXAMINER